



UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS

JOHN WOODARD  
Claimant

)  
) case no.  
)

) **COMPLAINT FOR DAMAGES**  
) **AND EQUITABLE RELIEF**

v.

- ) 1. Perjury  
) 2. Extortion  
) 3. Fraud

MAY 15 2008

**RECEIVED**

BANK OF NEW YORK  
Respondent

**08CV2812**

**JUDGE GOTTSCHALL**  
**MAG. JUDGE BROWN**

MAY 15 2008

MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT

**COMPLAINT FOR DAMAGES AND EQUITABLE RELIEF**

NOW COMES, Claimant John Woodard pursuant to rules (13) A, D & G of the Federal Rules Of Civil Procedure, moves that the court adhere to the law and hold the Plaintiffs accountable for the following list of crimes committed with assumed jurisdiction, and award the accompanying fines of 500,000 dollars per infraction in negotiable currency of the United States of America, for each felony perpetrated and 200,000 dollars for each misdemeanor pursuant to title 18 U.S.C. section 3571(c) (3), (c)(5).

Now States the Claimant,

THE BANK OF NEW YORK ON TWO SEPARATE INSTANCES ATTEMPTED TO FORECLOSE ON THE HOUSE OF JOHN WOODARD, WITHOUT BEING THE HOLDER OF THE NOTE, MORTGAGE OR CHAIN OF ASSIGNMENT. THE BANK OF NEW YORK FRAUDENTLY ATTEMPTED TO FOOL THE COURT ON SEVERAL DIFFERENT OCCASIONS BEFORE THEY PRODUCED DOCUMENTATION THAT STATED THEY NEVER HAD THE NOTE IN QUESTION, AND THEIR CLAIM WAS DISMISSED, TWICE.

1. Respondent committed 2 counts of Perjury pursuant to 18 U.S.C. 1962(a)(2). By stating they held the note, in the motions to foreclose, that were presented to the court.
2. Respondent committed 2 counts of extortion pursuant to 18 U.S.C., when plaintiff was told to pay for his and personal property, or his property would be taken and sold by the sheriff.
3. Respondent committed 2 counts of Fraud pursuant to 18 U.S.C., by knowingly attempting to fool the plaintiff and the court.
4. John Woodard is a United States National on file at the Cook County Recorder of Deeds, freeing him from local jurisdiction.
5. The Fifth Amendment of the United States Constitution states that, "No person shall be deprived of life, liberty or property, without due process of law." -Complaint, Witnesses, and Grand Jury Indictment.-

(c) "The claim and exercise of a Constitutional right cannot be converted into a crime" Miller v. U. S. 230 F 2nd 486,489.

(d) "Where rights are secured by the Constitution are involved, there can be no rule-making or legislation which would abrogate them." Miranda v. Arizona 384 US. 436,125.

5. A corporate entity whether it be a city or US Government, cannot testify as an injured party. As an individual one can speak for a corporation, but cannot be an injured party- as a living person of record. -In Propria Persona.-

7. Penhollow v. Doane's Administrators, states that, "All corporations are subject to men." This includes the Cook County and all its departments.

Wherefore the claimant respectfully moves the court to uphold all federal fines for all crimes committed by the respondent , and award the claimant actual compensation with treble damages as well as compensation for the pain and suffering for the claimant.

John woodard  
7817 Maryland Ave.  
chicago, il 60619  
773-305-6774

**YOU MUST CALL OUR OFFICE TO VERIFY THE PAYOFF FIGURES ONE DAY PRIOR TO CLOSING AND FORWARDING FUNDS. IF THIS IS NOT DONE, FUNDS WILL BE RETURNED IF THEY ARE NOT SUFFICIENT.**

**FISHER and SHAPIRO, LLC**  
**4201 Lake Cook Road**  
**Northbrook, IL 60062**  
**TEL (847)291-1717**  
**FAX (847)291-1740**

March 9, 2006

Aaron  
 Fax no. 949-328-3005

RE: BANK OF NEW YORK vs. WOODARD, JOHN  
 Loan No. 3598939  
 Property Address: 7817 SOUTH MARYLAND AVE., Chicago, IL 60619  
 FS No.: FF-64874

We are in receipt of your request for information pertaining to the sums necessary to pay off the above mortgage account. As we are not certain as to when the above funds will be tendered and as the amounts necessary to pay off the loan change periodically, the information provided below is current only through March 15, 2006. **DO NOT REMIT FUNDS PRIOR TO CONTACTING OUR OFFICE. YOU MUST CONTACT OUR OFFICE ONE DAY BEFORE CLOSING AND/OR SENDING FUNDS.**

The amounts necessary to pay off to 3/15/06 are as follows:

Unpaid principal balance	\$74,773.49
Interest thru 03/15/06	\$5,207.91
Escrow Advances	\$454.77
Late Charges	\$63.78
Property Inspections	\$12.50
FC/BK Fees/Expense Advances	\$549.38
(Attorney Fees and Costs)	
Additional costs	\$-389.78
Unapplied/Suspense Balance	-426.28
County Recording Fee	36.50
<b>TOTAL</b>	<b>\$80,672.05</b>

**THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION  
OBTAINED WILL BE USED FOR THAT PURPOSE.**

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT - CHANCERY DIVISION**

**BANK OF NEW YORK**

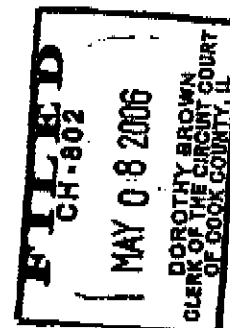
**PLAINTIFF,**

**-VS-**

**JOHN O. WOODARD; TINISHA  
WOODARD A/K/A TINISHA L.  
WOODARD A/K/A TINISHA L.  
LEGAUX A/K/A TINISHA L.  
LEGAUX; FRANKLIN CREDIT  
MANAGEMENT CORPORATION;  
UNKNOWN OWNERS AND NON-  
RECORD CLAIMANTS**

**DEFENDANTS**

**NO. 05 CH 12133**



**AMENDED COMPLAINT TO FORECLOSE MORTGAGE**

Plaintiff by its Attorneys, FISHER AND SHAPIRO, LLC, states as follows:

1. Plaintiff files this complaint pursuant to 735 ILCS 5/15-1101 et. seq., Illinois Code of Civil Procedure, to foreclose the mortgage, trust deed or other conveyance in the nature of a mortgage (hereinafter called "mortgage") hereinafter described and joins the following persons as defendants:

**JOHN O. WOODARD  
TINISHA L. WOODARD A/K/A TINISHA L. LEGAUX A/K/A TINISHA L. LEGAUX  
FRANKLIN CREDIT MANAGEMENT CORPORATION  
UNKNOWN OWNERS AND NON-RECORD CLAIMANTS**

2. That Plaintiff has heretofore elected to declare the whole of the principal sum remaining unpaid together with interest thereon to become immediately due and payable and by the filing of this complaint Plaintiff has confirmed said election.

3. Attached as "EXHIBIT A" is a true copy of the Mortgage. Attached as "EXHIBIT B" is a true copy of the note secured thereby.

FF-64874

THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED  
FOR THAT PURPOSE

FF-64874

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT - CHANCERY DIVISION

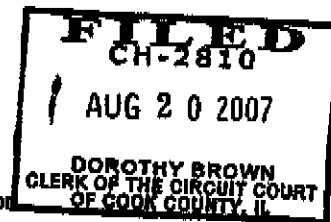
BANK OF NEW YORK  
PLAINTIFF,

-vs-

JOHN O. WOODARD; FRANKLIN CREDIT  
MANAGEMENT CORPORATION; UNKNOWN  
OWNERS AND NON-RECORD CLAIMANTS  
DEFENDANTS

NO. 05 CH 12133

CALENDAR NO: 55



NOTICE OF MOTION

TO: -Franklin Credit Management Corporation, C/O Kimberly Shaw, 6 Harrison  
Street, 6th Street, New York, NY 10013  
-John O. Woodard, 6518 S. University Ave, Apt. 1, Chicago, IL 60637  
-Arnell D Harris, 1954 W. 115<sup>th</sup> Street, Chicago, IL 60643  
-Unknown Owners And/Or Non-Record Claimants, 7817 South Maryland Ave.,  
Chicago, IL 60619

On August 20, 2007, at 1:00 p.m. or as soon thereafter as counsel may be heard, I shall appear before  
the Honorable Judge Curcio or any Judge sitting in his/her stead in the Courtroom 2810 usually occupied  
by him/her in Cook County Circuit Clerk - Richard J. Daley Center, 50 West Washington Street, Chicago,  
IL 60602, and shall there and then present Plaintiff's Motion for Default, Judgment of Foreclosure and  
Sale and Motion for Order Appointing Selling Officer.

BANK OF NEW YORK


  
One of Plaintiff's Attorneys

PROOF OF SERVICE BY MAIL

The undersigned, a non-attorney, on oath, states:

I served this notice by mailing a copy to the above-named persons at the above-listed addresses by  
depositing the same in the U.S. Mail at 4201 Lake Cook Road, Northbrook, Illinois 60062, before 5:00  
p.m. on August 10, 2007 with proper postage prepaid.

Signed and sworn to before me this 10 day of August, 2007

  
Sandra Sonanes  
Notary Public

Christopher A. Cieniawa  
Fisher and Shapiro, LLC  
Attorneys for Plaintiff  
4201 Lake Cook Rd  
Northbrook, IL 60062-1080  
(847)291-1717 Ext: 4307  
Attorney No: 42168



**Order**

CCG N002-300M-2/24/05 ( )

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS**State of New York

v.

John V. WomackNo. 05 CH 12133Branch # 55**ORDER**

The undersigned Clerk of the Court in Defendant  
 John V. Womack motion to vacate said judgment.  
 Appointed by the Court & read to the Defendant on  
 subject of State of New York. The Court being  
 fully advised of the facts, it is hereby  
 ordered that DEFENDANT'S MOTION TO VACATE  
 said judgment is granted.

Atty. No.: 472168Name: ROBERT A. MCGEE JR.Atty. for: State of New YorkAddress: 4201 Lake Cook Road, Skokie, ILCity/State/Zip: N. BURNING, IL 60062Telephone: (847) 291-2117**ENTERED:**Dated: Associate Judge Lisa R. Curcio

UEC 03 2007

Circuit Court - 1864

Judge

Judge's No.

**DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS**

Document ID # 00035989392005N

18469106**AFFIDAVIT OF LOST ASSIGNMENT OF MORTGAGE / DEED OF TRUST**

Date: March 13, 2007

Based upon a diligent search of the property records, it appears the assignment of the Mortgage from FRANKLIN CREDIT, 1800 TAPO CANYON RD, SIMI VALLEY, CA 93063, (Assignor), to THE BANK OF NEW YORK AS TRUSTEE, 101 Barclay Street #22-7, New York, NY 10286, (Assignee), was never recorded and inadvertently not completed and is now unobtainable. The below described Note and Mortgage is currently serviced by Countrywide Home Loans, Inc.

Said Mortgage dated: February 22, 2002, recorded in the County of COOK, State of ILLINOIS

Original Grantor: JOHN WOODARD & TINISHA L. WOODARD

Original Principal Amount: \$76,400.00

Mortgage Recorded: \_\_\_\_\_

Document # \_\_\_\_\_

Book # \_\_\_\_\_ Page # \_\_\_\_\_

Property Address: 7817 SOUTH MARYLAND AVENUE, CHICAGO, IL 60619  
COUNTRYWIDE HOME LOANS, INC

WITNESS:

BY Madien Gevorgian  
Madien Gevorgian

BY Tom Garcia  
Tom Garcia, Assistant Secretary

JURAT

STATE OF CALIFORNIA  
COUNTY OF VENTURA

Subscribed and sworn to (or affirmed) before me on this 13<sup>th</sup> day of March, 2007, by Tom Garcia, personally known to me or proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Witness my hand and Official Seal:

L. Glenn  
L. Glenn-Notary Public  
Prepared by Kathie Tepoxtecatl  
When recorded mail to:  
Countrywide Home Loans, Inc  
PO Box 10423 MS:SV-79  
Van Nuys, CA 91499-6211  
Attention: Assignment Unit

